

STATEMENT OF
DAVID A. HOLMES
U.S. EMBASSY KYIV, DEPARTMENT OF STATE

BEFORE THE

HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE ON INTELLIGENCE

CONCERNING

THE IMPEACHMENT INQUIRY

PRESENTED ON

NOVEMBER 21, 2019

I. Introduction

Good morning Mr. Chairman, Ranking Member Nunes, and Members of the Committee. My name is David Holmes, and I am a career Foreign Service Officer with the Department of State. Since August 2017, I have been the Political Counselor at the U.S. Embassy in Kyiv, Ukraine. While it is an honor to appear before you, I want to make clear that I did not seek this opportunity to testify today. Since you determined that I may have something of value to these proceedings and issued a subpoena, it is my obligation to appear and tell you what I know. Indeed, as Secretary Pompeo has stated, “I hope everyone who testifies will go do so truthfully, accurately. When they do, the oversight role will have been performed, and I think America will come to see what took place here.” That is my goal: to testify truthfully and accurately to enable you to perform that role. And to that end, I have put together this statement to lay out as best I can my recollection of events that may be relevant to this matter.

II. Background

By way of background, I have spent my entire professional career as a Foreign Service Officer. Like many of the dedicated public servants who have testified in these proceedings, my entire career has been in service of my country. I am a graduate of Pomona College in Claremont, California, and received graduate degrees in international affairs from the University of St. Andrews (Scotland) and Princeton University’s Woodrow Wilson School of Public and International Affairs. I joined the Foreign Service in 2002 through an apolitical, merit-based process under the George W. Bush administration, and I have proudly served administrations of both parties and worked for their appointees, both political and career.

Prior to my current post in Kyiv, Ukraine, I served in the political and economic sections at the U.S. Embassy in Moscow, Russia. In Washington, I served on the National Security

Council staff as Director for Afghanistan and as Special Assistant to the Under Secretary of State. My prior overseas assignments include New Delhi, India; Kabul, Afghanistan; Bogotá, Colombia; and Pristina, Kosovo.

As the Political Counselor at the U.S. Embassy in Kyiv, I lead the Political Section covering Ukraine's internal politics, foreign relations, and security policies, and serve as the senior policy and political adviser to the Ambassador. The job of an embassy political counselor is to gather information about the host country's political landscape, report back to Washington, represent U.S. policies to foreign contacts, and advise the Ambassador on policy development and implementation.

In this role, I am a senior member of the Embassy's Country Team and continually involved in addressing issues as they arise. I am also often called upon to take notes in meetings involving the Ambassador or visiting senior U.S. officials with Ukrainian counterparts. For this reason, I have been present in many meetings with President Zelenskyy and his administration, some of which may be germane to this inquiry.

While I am the Political Counselor at the Embassy, it is important to note that I am not a political appointee or engaged in U.S. politics in any way. It is not my job to cover or advise on U.S. politics. On the contrary, I am an apolitical foreign policy professional, and my job is to focus on the politics of the country in which I serve so that we can better understand the local landscape and better advance U.S. national interests there. In fact, during the period that we will cover today, my colleagues and I followed direct guidance from Ambassador Yovanovitch and Ambassador Taylor to focus on doing our jobs as foreign policy professionals and to stay clear of Washington politics.

III. Policy Objectives in Ukraine

I arrived in Kyiv to take up my assignment as Political Counselor in August 2017, a year after Ambassador Yovanovitch received her appointment. From August 2017 until her removal from post in May 2019, I was Ambassador Yovanovitch's chief policy advisor and developed a deep respect for her dedication, determination, decency, and professionalism. During this time we worked together closely, speaking multiple times per day, and I accompanied Ambassador Yovanovitch to many of her meetings with senior Ukrainian counterparts.

Our work in Ukraine focused on three policy priorities: peace and security, economic growth and reform, and anti-corruption and rule of law. These policies match the three consistent priorities of the Ukrainian people since 2014 as measured in public opinion polling, namely, an end to the conflict with Russia that restores national unity and territorial integrity, responsible economic policies that deliver European standards of growth and opportunity, and effective and impartial rule of law institutions that deliver justice in cases of high-level official corruption. Our efforts on this third priority merit special mention because it was during Ambassador Yovanovitch's tenure that we achieved the hard-fought passage of a law establishing an independent court to try corruption cases. These efforts strained Ambassador Yovanovitch's relationship with former President Poroshenko and some of his allies, including Prosecutor General Yuriy Lutsenko, who resisted fully empowering truly independent anti-

corruption institutions that would help ensure that no Ukrainians, however powerful, were above the law. Despite this resistance, the Ambassador and the Embassy kept pushing anti-corruption and the other priorities of our policy toward Ukraine.

IV. Emergence of a Political Agenda

Beginning in March 2019, the situation at the Embassy and in Ukraine changed dramatically. Specifically, the three priorities of security, economy, and justice, and our support for Ukrainian democratic resistance to Russian aggression, became overshadowed by a political agenda being promoted by former New York City Mayor Rudy Giuliani and a cadre of officials operating with a direct channel to the White House.

That change began with the emergence of press reports critical of Ambassador Yovanovitch and machinations by then-Prosecutor General Lutsenko and others to discredit her. In mid-March 2019, an Embassy colleague learned from a Ukrainian contact that Mr. Lutsenko had complained that Ambassador Yovanovitch had “destroyed him” with her refusal to support him until he followed through with his reform commitments and ceased using his position for personal gain. In retaliation, Mr. Lutsenko made a series of unsupported allegations against Ambassador Yovanovitch, mostly suggesting that Ambassador Yovanovitch improperly used the Embassy to advance the political interests of the Democratic party.

Among Mr. Lutsenko’s allegations were that the Embassy had ordered the investigation of a former Ukrainian official solely because that former official was allegedly the main Ukrainian contact of the Republican Party and of President Trump personally, and that the Embassy had allegedly pressured Lutsenko’s predecessor to close a case against a different former Ukrainian official, solely because of an alleged connection between that official’s company, Burisma, and former Vice President Biden’s son. Mr. Lutsenko also claimed that he had never received \$4.4 million in U.S. funds intended for his office, and that there was a tape of a Ukrainian official saying he was trying to help Hillary Clinton win the 2016 election. Finally, Mr. Lutsenko publically claimed that Ambassador Yovanovitch had given him a “do not prosecute list” containing the names of her supposed allies, an allegation that the State Department called an “outright fabrication,” and that Mr. Lutsenko later retracted. Mr. Lutsenko said that, as a result of these allegations, Ambassador Yovanovitch would face “serious problems” in the United States. Public opinion polls in Ukraine indicated that Ukrainians generally did not believe Mr. Lutsenko’s allegations, and on March 22, President Poroshenko issued a statement in support of Ambassador Yovanovitch.

Following Mr. Lutsenko’s allegations, Mr. Giuliani and others made a number of public statements critical of Ambassador Yovanovitch, questioning her integrity and calling for her removal from office. Mr. Giuliani was also making frequent public statements pushing for Ukraine to investigate interference in the 2016 election and issues related to Burisma and the Bidens. For example, on May 1, 2019, the New York Times reported that Mr. Giuliani had “discussed the Burisma investigation, and its intersections with the Bidens, with the ousted Ukrainian prosecutor general and the current prosecutor.” On May 9, the New York Times reported that Mr. Giuliani said he planned to travel to Ukraine to pursue investigations into 2016 election interference and into the involvement of former Vice President Biden’s son in a

Ukrainian gas company. Over the next few months, Mr. Giuliani also issued a series of tweets, asking “why Biden shouldn’t be investigated,” attacking the “New Pres of Ukraine” (Zelenskyy) for being “silent” on the 2016 election and Biden investigations, and complaining about the New York Times attacking him for “exposing the Biden family history of making millions . . . from Ukraine criminals.”

Around this same time, the Ukrainian presidential election was approaching, and political newcomer and entertainer Volodymyr Zelenskyy, who had played a president on television, was surging in the polls, ahead of Mr. Lutsenko’s political ally, President Poroshenko. On April 20, I was present for Ambassador Yovanovitch’s third and final meeting with then-candidate Zelenskyy ahead of his landslide victory in the runoff election the next day. As in her two prior meetings that I also attended, they had an entirely cordial, pleasant conversation and signaled their mutual desire to work together. However, the negative narratives about Ambassador Yovanovitch had gained currency in certain segments of the United States press, and on April 26, Ambassador Yovanovitch departed for Washington, DC, where she learned she would be recalled early. The barrage of allegations directed at Ambassador Yovanovitch, a career ambassador, is unlike anything I have seen in my professional career.

V. Zelenskyy’s Inauguration and the “Three Amigos”

Following President-elect Zelenskyy’s victory, our attention in the Embassy focused on getting to know the incoming Zelenskyy administration and on preparations for the inauguration scheduled for May 20, the same day Ambassador Yovanovitch departed Post permanently. It quickly became clear that the White House was not prepared to show the level of support for the Zelenskyy administration that we had originally anticipated.

In early May, Mr. Giuliani publicly alleged that Mr. Zelenskyy was “surrounded by enemies of the [U.S. President],” and cancelled a visit to Ukraine. Shortly thereafter, we learned that Vice President Pence no longer planned to lead the Presidential Delegation to the inauguration. The White House then whittled down an initial proposed list for the official Presidential Delegation to the inauguration from over a dozen individuals to just five: Secretary Perry as its head, Special Representative for Ukraine Negotiations Kurt Volker representing the State Department, National Security Council Director Alex Vindman representing the White House, temporary acting Charge d’Affaires Joseph Pennington representing the Embassy, and Ambassador to the European Union Gordon Sondland. While Ambassador Sondland’s mandate as Ambassador accredited to the European Union did not cover individual member states, let alone non-member countries like Ukraine, he made clear that he had direct and frequent access to President Trump and Chief of Staff Mick Mulvaney, and portrayed himself as the conduit to the President and Mr. Mulvaney for the group. Secretary Perry, Ambassador Sondland, and Ambassador Volker later styled themselves the “Three Amigos,” and made clear they would take the lead on coordinating our policy and engagement with the Zelenskyy Administration.

Around the same time, I became aware that Mr. Giuliani, a private lawyer, was taking a direct role in Ukrainian diplomacy. On April 25, Ivan Bakanov, who was Mr. Zelenskyy’s childhood friend and campaign chair, and was ultimately appointed head of the Security Services of Ukraine, indicated to me privately he had been contacted by “someone named

Giuliani who said he was an advisor to the Vice President.” I reported Mr. Bakanov’s message to Deputy Assistant Secretary of State George Kent. Over the following months, it became apparent that Mr. Giuliani was having a direct influence on the foreign policy agenda that the Three Amigos were executing on the ground in Ukraine. In fact, at one point during a preliminary meeting of the inauguration Delegation, someone wondered aloud about why Mr. Giuliani was so active in the media with respect to Ukraine. My recollection is that Ambassador Sondland stated, “Dammit Rudy. Every time Rudy gets involved he goes and f---s everything up.”

The inauguration took place on May 20, and I took notes in the delegation’s meeting with President Zelenskyy. During the meeting, Secretary Perry passed President Zelenskyy a list that Perry described as “people he trusts.” Secretary Perry told President Zelenskyy that he could seek advice from the people on this list on issues of energy sector reform, which was the topic of subsequent meetings between Secretary Perry and key Ukrainian energy-sector contacts. Embassy personnel were excluded from these later meetings by Secretary Perry’s staff.

On May 23, Ambassador Volker, Ambassador Sondland, Secretary Perry, and Senator Ron Johnson (who had also attended the inauguration, though not in the official delegation) returned to the United States and briefed President Trump. On May 29, President Trump signed a congratulatory letter to President Zelenskyy, which included an invitation to visit the White House at an unspecified date.

It is important to understand that a White House visit was critical to President Zelenskyy. President Zelenskyy needed to show U.S. support at the highest levels in order to demonstrate to Russian President Putin that he had U.S. backing, as well as to advance his ambitious anti-corruption reforms at home. President Zelenskyy’s team immediately began pressing to set a date for the visit. President Zelenskyy and senior members of his team made clear they wanted President Zelenskyy’s first overseas trip to be to Washington to send a strong signal of American support, and requested a call with President Trump as soon as possible. We at the Embassy also believed that a meeting was critical to the success of President Zelenskyy’s administration and its reform agenda, and we worked hard to get it arranged.

When President Zelenskyy’s team did not receive a confirmed date for a White House visit, they made alternative plans for President Zelenskyy’s first overseas trip to be to Brussels instead, in part to attend an American Independence Day event that Ambassador Sondland hosted on June 4. Ambassador Sondland hosted a dinner in President Zelenskyy’s honor following the reception, which included President Zelenskyy, Jared Kushner, Secretary Pompeo’s counselor Ulrich Brechbuhl, senior European Union officials, and comedian Jay Leno, among others.

VI. Ambassador Taylor and an Oval Office Meeting

Ambassador Bill Taylor arrived in Kyiv as Charge d’Affaires on June 17. For the next month, a focus of our activities – along with those of the Three Amigos – was to coordinate a White House visit. To that end, we were working with the Ukrainians to deliver things we

thought President Trump might care about, such as commercial deals benefitting the United States, which might convince President Trump to agree to a meeting with President Zelenskyy. The Ukrainian policy community was unanimous in recognizing the importance of securing the meeting and President Trump's support. Ambassador Taylor reported that Secretary Pompeo had told him prior to his arrival in Kyiv, "We need to work on turning the President around on Ukraine." Ambassador Volker told us the next five years could hang on what could be accomplished in the next three months. I took that to mean that if we did not earn President Trump's support in the next three months, we could lose the opportunity to make progress during President Zelenskyy's term.

Within a week or two, it became apparent that the energy sector reforms, commercial deals, and anti-corruption efforts on which we were making progress were not making a dent in terms of persuading the White House to schedule a meeting between the presidents. On June 27, Ambassador Sondland told Ambassador Taylor in a phone conversation (the gist of which Ambassador Taylor shared with me at the time) that President Zelenskyy needed to make clear to President Trump that President Zelenskyy was not standing in the way of "investigations." I understood that this meant the Burisma/Biden investigations that Mr. Giuliani and his associates had been speaking about in the media since March. While Ambassador Taylor did not brief me on every detail of his communications with the Three Amigos, he did tell me that on a June 28 call with President Zelenskyy, Ambassador Taylor, and the Three Amigos, it was made clear that some action on a Burisma/Biden investigation was a precondition for an Oval Office meeting. Also on June 28, while President Trump was still not moving forward on a meeting with President Zelenskyy, he met with Russian President Putin at the G20 Summit in Osaka, Japan, sending a further signal of lack of support for Ukraine.

We became concerned that even if a meeting between Presidents Trump and Zelenskyy could occur it would not go well, and I discussed with Embassy colleagues whether we should stop seeking a meeting altogether. While a White House visit was critical to the Zelenskyy administration, a visit that failed to send a clear and strong signal of support likely would be worse for President Zelenskyy than no visit at all.

VII. The Freezing of Security Assistance

Congress has appropriated \$1.5 billion in security assistance for Ukraine since 2014. This assistance has provided crucial material and moral support to Ukraine in its defensive war with Russia and has helped Ukraine build its armed forces virtually from scratch into arguably the most capable and battle-hardened land force in Europe. I have had the honor of visiting the main training facility in Western Ukraine with members of Congress and this very Committee, where we witnessed first-hand U.S. National Guard troops, along with allies, conducting training for Ukrainian soldiers. Since 2014, National Guard units from California, Oklahoma, New York, Tennessee and Wisconsin have trained shoulder-to-shoulder with Ukrainian counterparts.

Given the history of U.S. security assistance to Ukraine and the bipartisan recognition of its importance, I was shocked when, on July 18, an Office of Management and Budget staff member surprisingly announced the hold on Ukraine security assistance. The announcement

came toward the end of a nearly two-hour National Security Council secure video conference call, which I participated in from the Embassy conference room. The official said the order had come from the President and had been conveyed to OMB by Mr. Mulvaney with no further explanation. This began a week or so of efforts by various agencies to identify the rationale for the freeze, conduct a review of the assistance, and to reaffirm the unanimous view of the Ukraine policy community of its importance. NSC counterparts confirmed to us that there had been no change in our Ukraine policy, but could not determine the cause of the hold or how to lift it.

VIII. July 26 Meetings and Ambassador Sondland's Call to the President

On July 25, President Trump made a congratulatory phone call to President Zelenskyy, after his party won a commanding majority in Ukraine's parliamentary election. Contrary to standard procedure, the Embassy received no readout of the call, and I was unaware of what was discussed until the transcript was released September 25. Upon reading the transcript, I was deeply disappointed to see that the President raised none of what I understood to be our inter-agency agreed-upon foreign policy priorities in Ukraine and instead raised the Biden/Burisma investigation and referred to the theory about Crowdstrike, and its supposed connection to Ukraine and the 2016 election.

The next day, July 26, 2019, I attended meetings at the Presidential Administration Building in Kyiv with Ambassador Taylor, Ambassador Volker, and Ambassador Sondland and took notes during those meetings. Our first meeting was with President Zelenskyy's Chief of Staff. It was brief, as he had already been summoned by President Zelenskyy to prepare for a subsequent broader meeting, but he did say that President Trump had expressed interest during the previous day's phone call in President Zelenskyy's personnel decisions related to the Prosecutor General's Office.

The delegation then met with President Zelenskyy and several other senior officials. During the meeting, President Zelenskyy stated that during the July 25 call, President Trump had "three times" raised "some very sensitive issues," and that he would have to follow up on those issues when he and President Trump met "in person." Not having received a readout of the July 25 call, I did not know what those sensitive issues were.

After the meeting with President Zelenskyy, Ambassador Volker and Ambassador Taylor quickly left the Presidential Administration Building for a trip to the front lines. Ambassador Sondland, who was to fly out that afternoon, stayed behind to have a meeting with Andriy Yermak, a top aide to President Zelenskyy.

As I was leaving the meeting with President Zelenskyy, I was told to join the meeting with Ambassador Sondland and Mr. Yermak as note-taker. I had not expected to join that meeting and was a flight of stairs behind Ambassador Sondland as he headed to meet with Mr. Yermak. When I reached Mr. Yermak's office, Ambassador Sondland had already gone in to the meeting. I explained to Mr. Yermak's assistant that I was supposed to join the meeting as the Embassy's representative and strongly urged her to let me in, but she told me that Ambassador Sondland and Mr. Yermak had insisted that the meeting be one-on-one, with no note-taker. I

then waited in the anteroom until the meeting ended, along with a member of Ambassador Sondland's staff and a member of the U.S. Embassy Kyiv staff.

When the meeting ended, the two staffers and I accompanied Ambassador Sondland out of the Presidential Administration Building. Ambassador Sondland said that he wanted to go to lunch. I told Ambassador Sondland that I would be happy to join him and the two staffers for lunch if he wanted to brief me on his meeting with Mr. Yermak or discuss other issues, and Ambassador Sondland said that I should join.

The four of us went to a nearby restaurant and sat on an outdoor terrace. I sat directly across from Ambassador Sondland, and the two staffers sat off to our sides. At first, the lunch was largely social. Ambassador Sondland selected a bottle of wine that he shared among the four of us, and we discussed topics such as marketing strategies for his hotel business.

During the lunch, Ambassador Sondland said that he was going to call President Trump to give him an update. Ambassador Sondland placed a call on his mobile phone, and I heard him announce himself several times, along the lines of "Gordan Sondland holding for the President." It appeared that he was being transferred through several layers of switchboards and assistants. I then noticed Ambassador Sondland's demeanor change, and understood that he had been connected to President Trump. While Ambassador Sondland's phone was not on speakerphone, I could hear the President's voice through the earpiece of the phone. The President's voice was very loud and recognizable, and Ambassador Sondland held the phone away from his ear for a period of time, presumably because of the loud volume.

I heard Ambassador Sondland greet the President and explain that he was calling from Kyiv. I heard President Trump then clarify that Ambassador Sondland was in Ukraine. Ambassador Sondland replied, yes, he was in Ukraine, and went on to state that President Zelenskyy "loves your ass." I then heard President Trump ask, "So, he's gonna do the investigation?" Ambassador Sondland replied that "he's gonna do it," adding that President Zelenskyy will do "anything you ask him to." Even though I did not take notes of these statements, I have a clear recollection that these statements were made. I believe that my colleagues who were sitting at the table also knew that Ambassador Sondland was speaking with the President.

The conversation then shifted to Ambassador Sondland's efforts, on behalf of the President, to assist a rapper who was jailed in Sweden, and I could only hear Ambassador Sondland's side of that part of the conversation. Ambassador Sondland told the President that the rapper was "kind of f---d there," and "should have pled guilty." He recommended that the President "wait until after the sentencing or it will make it worse," adding that the President should "let him get sentenced, play the racism card, give him a ticker-tape when he comes home." Ambassador Sondland further told the President that Sweden "should have released him on your word," but that "you can tell the Kardashians you tried."

After the call ended, Ambassador Sondland remarked that the President was in a bad mood, as Ambassador Sondland stated was often the case early in the morning. I then took the opportunity to ask Ambassador Sondland for his candid impression of the President's views on

Ukraine. In particular, I asked Ambassador Sondland if it was true that the President did not “give a s--t about Ukraine.” Ambassador Sondland agreed that the President did not “give a s--t about Ukraine.” I asked why not, and Ambassador Sondland stated that the President only cares about “big stuff.” I noted that there was “big stuff” going on in Ukraine, like a war with Russia, and Ambassador Sondland replied that he meant “big stuff” that benefits the President, like the “Biden investigation” that Mr. Giuliani was pushing. The conversation then moved on to other topics.

Upon returning to the Embassy, I immediately briefed my direct supervisor, the Deputy Chief of Mission, about Ambassador Sondland’s call with President Trump and my subsequent conversation with Ambassador Sondland. I told others at the Embassy about the call as well. I also emailed an Embassy official in Sweden regarding the issue with the U.S. rapper that was discussed on the call.

July 26 was my last day in the office ahead of a planned vacation that ended on August 6. After returning to the Embassy, I told Ambassador Taylor about the July 26 call. I also repeatedly referred to the call and conversation with Ambassador Sondland in meetings and conversations where the issue of the President’s interest in Ukraine was potentially relevant. At that time, Ambassador Sondland’s statement of the President’s lack of interest in Ukraine was of particular focus. We understood that in order to secure a meeting between President Trump and President Zelenskyy, we would have to work hard to find a way to explain Ukraine’s importance to President Trump in terms that he found compelling.

IX. Lifting the Hold on Security Assistance

Over the ensuing weeks, we continued to try to identify ways to frame the importance of Ukraine in ways that would appeal to the President, to determine how to lift the hold on security assistance, and to move forward on the scheduling of a White House visit by President Zelenskyy.

Ukrainian Independence Day is August 24 and presented a good opportunity to show support for Ukraine. Secretary Pompeo had considered attending, as National Security Advisor Bolton had attended in 2018 and Defense Secretary Mattis had attended in 2017. But in the end, nobody senior to Ambassador Volker attended.

Shortly thereafter, on August 27, Ambassador Bolton visited Ukraine and brought welcome news that President Trump had agreed to meet President Zelenskyy on September 1 in Warsaw. Ambassador Bolton further indicated that the hold on security assistance would not be lifted prior to the Warsaw meeting, where it would hang on whether President Zelenskyy was able to “favorably impress” President Trump. I took notes in Ambassador Bolton’s meeting that day with President Zelenskyy and his Chief of Staff. Ambassador Bolton told Zelenskyy’s Chief of Staff that the meeting between the presidents in Warsaw would be “crucial to cementing their relationship.” However, President Trump ultimately pulled out of the Warsaw trip, so the hold remained in place with no clear means to get it lifted.

Between meetings on August 27, I heard Ambassador Bolton express to Ambassador Taylor and National Security Council Senior Director Tim Morrison his frustration about Mr. Giuliani's influence with the President, making clear there was nothing he could do about it. He recommended that Mr. Lutsenko's replacement as Prosecutor General open a channel with his counterpart Attorney General Barr in place of the informal channel between Mr. Yermak and Mr. Giuliani. Ambassador Bolton also expressed frustration about Ambassador Sondland's expansive interpretation of his mandate.

After President Trump cancelled his trip to Warsaw, we continued to try to appeal to the President in foreign policy and national security terms. To that end, Ambassador Taylor told me that Ambassador Bolton recommended that Ambassador Taylor send a first-person cable to Secretary Pompeo articulating the importance of the security assistance. At Ambassador Taylor's direction, I drafted and transmitted the cable on Ambassador Taylor's behalf on August 29, which further attempted to explain the importance of Ukraine and the security assistance to U.S. national security. By this point, however, my clear impression was that the security assistance hold was likely intended by the President either as an expression of dissatisfaction that the Ukrainians had not yet agreed to the Burisma/Biden investigation or as an effort to increase the pressure on them to do so.

On September 5, I took notes at Senator Johnson and Senator Chris Murphy's meeting with President Zelenskyy in Kyiv, where President Zelenskyy asked about the security assistance. Although both Senators stressed bipartisan Congressional support for Ukraine, Senator Johnson cautioned President Zelenskyy that President Trump has a negative view of Ukraine and that President Zelenskyy would have a difficult time overcoming it. Senator Johnson further explained that he had been "shocked" by President Trump's negative reaction during an Oval Office meeting on May 23, when he and the Three Amigos proposed that President Trump meet President Zelenskyy and show support for Ukraine.

On September 8, Ambassador Taylor told me, "now they're insisting Zelenskyy commit to the investigation in an interview with CNN," which I took to refer to the Three Amigos. I was shocked the requirement was so specific and concrete. While we had advised our Ukrainian counterparts to voice a commitment to following the rule of law and generally investigating credible corruption allegations, this was a demand that President Zelenskyy personally commit, on a cable news channel, to a specific investigation of President Trump's political rival.

On September 11, the hold was finally lifted after significant press coverage and bipartisan congressional expressions of concern about the withholding of security assistance. Although we knew the hold was lifted, we were still concerned that President Zelenskyy had committed, in exchange for the lifting, to give the requested CNN interview. We had several indications that the interview would occur. First, the YES! Conference in Kyiv was held from September 12-14, and CNN's Fareed Zakaria was one of the moderators. Second, on September 13, an Embassy colleague received a phone call from a colleague who worked for Ambassador Sondland. My Embassy colleague texted me regarding the call that, "Sondland said the [Zelenskyy] interview is supposed to be today or Monday [Sept 16] and they plan to announce that a certain investigation that was 'on hold' will progress. [Sondland's aide] did not know if this was decided or if [Sondland] is advocating this. Apparently he's been discussing

this with Yermak.” Finally, also on September 13, Ambassador Taylor and I ran into Mr. Yermak on our way out of a meeting with President Zelenskyy in his private office. Ambassador Taylor again stressed the importance of staying out of U.S. politics and said he hoped no interview was planned. Mr. Yermak did not answer, but shrugged in resignation as if to indicate they had no choice. In short, everyone thought there was going to be an interview, and that the Ukrainians believed they had to do it. The interview ultimately did not occur.

On September 21, Ambassador Taylor and I collaborated on input he sent to Mr. Morrison to brief President Trump ahead of a September 25 meeting that had been scheduled with President Zelenskyy in New York on the margins of the UN General Assembly. The transcript of the July 25 call was released the same day. As of today, I still have not seen a readout of the September 25 meeting.

X. Impeachment Proceedings

As the impeachment inquiry has progressed, I have followed press reports and reviewed the statements of Ambassador Taylor and Ambassador Yovanovitch. Based on my experience in Ukraine, my recollection is generally consistent with their testimony, and I believed that the relevant facts were therefore being laid out for the American people. However, in the last couple weeks, I read press reports expressing for the first time that certain senior officials may have been acting without the President’s knowledge, or “freelancing,” in their dealings with Ukraine. At the same time, I also read reports noting the lack of “first-hand” evidence in the investigation and suggesting that the only evidence being elicited at the hearings was “hearsay.” I came to realize I had first-hand knowledge regarding certain events on July 26 that had not otherwise been reported, and that those events potentially bore on the question of whether the President did, in fact, have knowledge that those senior officials were using the levers of our diplomatic power to induce the new Ukrainian President to announce the opening of a criminal investigation against President Trump’s political opponent. It is at that point that I made the observation to Ambassador Taylor that the incident I had witnessed on July 26 had acquired greater significance, which is what he reported in his testimony last week and is what led to the subpoena for my appearance here today.

XI. Conclusion

I would like to take a moment now to turn back to Ukraine. Today marks exactly six years since throngs of pro-Western Ukrainians spontaneously gathered on Kyiv’s Independence Square to launch what became known as the Revolution of Dignity. While the protests began in opposition to a turn toward Russia and away from the West, they expanded over three months to reject the entire corrupt, repressive system that had been sustained by Russian influence in the country. Those events were followed by Russia’s occupation of Ukraine’s Crimean peninsula and invasion of Ukraine’s eastern Donbas region, and an ensuing war that, to date, has cost Ukraine almost 14,000 lives. Despite the Russian aggression, over the past five years, Ukrainians have rebuilt a shattered economy, adhered to a peace process, and moved economically and socially closer to the West – toward our way of life. Earlier this year, large majorities of Ukrainians again chose a fresh start by voting for a political newcomer as president, replacing 80 percent of their parliament, and endorsing a platform consistent with

our democratic values, reform priorities, and strategic interests. This year's revolution at the ballot box underscores that, despite its imperfections, Ukraine is a genuine and vibrant democracy and an example to other post-Soviet countries and beyond – from Moscow to Hong Kong.

How we respond to this historic opportunity will set the trajectory of our relationship with Ukraine and will define our willingness to defend our bedrock international principles and our leadership role in the world. Ukrainians want to hear a clear and unambiguous reaffirmation that our long-standing, bipartisan policy of strong support for Ukraine remains unchanged and that we fully back it at the highest levels. Now is not the time to retreat from our relationship with Ukraine, but rather to double down on it. As we sit here, Ukrainians are fighting a hot war on Ukrainian territory against Russian aggression. This week alone, since I have been here in Washington, two Ukrainian soldiers were killed and two injured by Russia-led forces in eastern Ukraine despite a declared ceasefire. As Vice President Pence said after his meeting with President Zelenskyy in Warsaw, “The U.S.-Ukraine relationship has never been stronger.” Ukrainians and their new government earnestly want to believe that.

Ukrainians cherish their bipartisan American support that has sustained their Euro-Atlantic aspirations, and they recoil at the thought of playing a role in U.S. domestic politics or elections. At a time of shifting allegiances and rising competitors in the world, we have no better friend than Ukraine – a scrappy, unbowed, determined, and above all dignified people who are standing up against Russian authoritarianism and aggression. They deserve better. We are now at an inflection point in Ukraine, and it is critical to our national security that we stand in strong support of our Ukrainian partners. Ukrainians and freedom-loving people everywhere are watching the example we set of democracy and the rule of law.

Thank you, I am happy to answer any questions.